

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

STEVE NOBLE,

Plaintiff,

v.

JEANNE WOODFORD,

Defendant.

CASE NO. 1:05-cv-00321-OWW-DLB PC

**ORDER SETTING SETTLEMENT
CONFERENCE**

Settlement Conference:
October 17, 2008 at 10:00 a.m. in Courtroom 27,
8th Floor, United States District Court, Eastern
District of California - Sacramento, before
Magistrate Judge D.A. Drozd

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in a civil rights action pursuant to 42 U.S.C. § 1983. This matter is currently set for bench trial before United States District Judge Oliver W. Wanger in Fresno, California, on November 4, 2008.

During a telephonic trial confirmation hearing held October 3, 2008, all parties indicated that a court settlement conference may be helpful in resolving this case. To accommodate the parties and counsel, all of whom are located near Sacramento, this Court shall schedule a settlement conference before Magistrate Judge Drozd in Sacramento, California.

Accordingly, the Court HEREBY ORDERS as follows:

1. This matter is set for settlement conference on **October 17, 2008 at 10:00 a.m.** before United States Magistrate Judge Drozd in Courtroom 27, 8th Floor, 501 I Street, Sacramento, California, 95814;
2. Counsel for the defendant who will try the case shall appear in person with the parties and the person or persons having full authority to negotiate and settle the case, on any

terms, at the conference;

3. Counsel for the defendant is required to arrange for the participation of plaintiff by video-conference in the settlement conference. Counsel for the defendant shall notify the Court in Sacramento in advance of any technical arrangements that must be made with the Court in order to facilitate plaintiff's participation by video;

4. Each party shall submit directly to Judge Drozd's chambers a confidential settlement conference statement **no later than end of business on Wednesday October 14, 2008.**¹ This statement should neither be filed with the clerk of the Court nor served on any other party. The statement shall be clearly marked "CONFIDENTIAL" with the date and time of the mandatory settlement conference indicated prominently. Counsel is urged to request the return of the statement. If such request is not made, the Court will dispose of the statement;

5. The Confidential Settlement Conference Statement shall include the following:

A. A brief statement of the facts of the case;

B. The relief sought; and

C. The party's position on settlement, including realistic settlement expectations, present demands and offers, and a history of past settlement discussions, offers, and demands;

6. Counsel for the defendant shall include an estimate of the cost and time to be expended for further pretrial and trial matters; and

7. This matter remains set for bench trial on November 4, 2008 at 9:00 a.m. before the Honorable Oliver W. Wanger.

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¹ Defendant shall e-mail her confidential settlement conference statement to: dadorders@caed.uscourts.gov. Plaintiff shall mail his confidential settlement conference statement to: Chambers of United States Magistrate Judge Drozd, 501 I Street, Sacramento, California, 95814.

1 The Court will vacate the settlement conference if the Court finds the settlement conference
2 will be neither productive nor meaningful to attempt to resolve all or part of this case. As far in
3 advance of the settlement conference as possible, a party shall inform the Court and other parties that
4 it believes the case is not in a settlement posture so the Court may vacate or reset the settlement
5 conference. Otherwise the parties shall proceed with the settlement conference in good faith to
6 attempt to resolve all or part of the case.

7 IT IS SO ORDERED.

8 **Dated: October 8, 2008**

9 **/s/ Dennis L. Beck**
UNITED STATES MAGISTRATE JUDGE